

# Notice of Allowability

Application No.

10/671,095

Examiner

Satya B. Sastri

Applicant(s)

GUO ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 8/14/07.
2. ☒ The allowed claim(s) is/are 1-9, 11-18, 20-41, 50, 51, 53-56 and 65-70.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

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***EXAMINER'S COMMENT/AMENDMENT/REASONS FOR ALLOWANCE***

1. All previous rejections have been overcome by the amendment filed on August 14, 2007 and the rejections are withdrawn. ***Claims 1-9, 11-18, 20-41, 50, 51, 53-56, 65-70*** are now pending in the application.

2. Claims 1, 50 and 65 are allowable. The restriction requirement, as set forth in the Office action mailed on 5/13, 2005, has been reconsidered in view of the allowability of claims to the elected invention pursuant to MPEP § 821.04(a). **The restriction requirement is hereby withdrawn as to any claim that requires all the limitations of an allowable claim.** Claims 20, 21, 24, 27-41, 53, 54, 56, 66-68, 70 are no longer withdrawn from consideration because the claim(s) requires all the limitations of an allowable claim.

In view of the above noted withdrawal of the restriction requirement, applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

### EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Shireen Marshall on September 7, 2007.

The application has been amended as follows:

- In **claim 50**, lines 1-2, replace the phrase "...wherein said surfactant is a mixture of an ionic non-polymerizable surfactant and a water-soluble or water-dispersible polymerizable surfactant...." by "...wherein said non-polymerizable surfactant is an ionic non-polymerizable surfactant and said polymerizable surfactant is a water-soluble or water-dispersible polymerizable surfactant ....".
- In **claim 56**, lines 1-2, replace the phrase "...wherein said surfactant is a mixture of an ionic non-polymerizable surfactant and a water-soluble or water-dispersible polymerizable surfactant...." by "...wherein said non-polymerizable surfactant is an ionic non-polymerizable surfactant and said polymerizable surfactant is a water-soluble or water-dispersible polymerizable surfactant ....".
- In **claim 70**, lines 1-2, replace the phrase "...wherein said surfactant is a mixture of an ionic non-polymerizable surfactant and a water-soluble or water-dispersible polymerizable surfactant...." by "...wherein said non-polymerizable surfactant is an

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ionic non-polymerizable surfactant and said polymerizable surfactant is a water-soluble or water-dispersible polymerizable surfactant ....”.

***Reasons For Allowance***

4. ***Claims 1-9, 11-18, 20-41, 50, 51, 53-56, 65-70*** are allowed.

5. The following is an Examiner's Statement of Reasons for Allowance:

The instant claims are allowable over prior art to Narimatsu et al. (EP 0530729 A1) and JP 59,179,676 ('676, English Translation).

Prior art to Narimatsu et al. discloses pressure sensitive adhesive obtained by emulsion-polymerizing a monomer mixture comprising alkyl (meth)acrylate monomer and 0.1-10 parts by wt. per 100 parts of monomer mixture, of carboxyl group-containing monomer. Aziridine type crosslinking agents in amounts of 0.01 to 10 parts by wt. are disclosed. Additionally, Narimatsu et al. teach that the bleeding-out of the surfactant onto the surface of the pressure-sensitive adhesive layer results in formation of a barrier layer between the adhesive layer and the semiconductor wafer to be attached; thus, the synergistic effect by the crosslinking agent and the surfactant gives a low initial adhesion strength and substantially no increase in adhesion strength with time (p. 6, lines 32-35). Thus, Narimatsu et al. teach away from polymerizable surfactants, which cannot bleed-out of the adhesive to produce the described "synergistic effect".

JP 59179676 discloses a pressure-sensitive adhesive tape comprising 80-99% acrylate or methacrylate monomer, 1-20% of a copolymerizable unsaturated monomer having acidic groups, 0-20% solvent and a compound having two or more aziridinyl

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groups in the molecule as a crosslinking agent. JP 59179676 does not disclose a polymerizable surfactant. Additionally, JP 59179676 discloses that in the emulsion polymerization, a part of the emulsifier [(i.e., surfactant)] used during polymerization adheres to the polymer particle surface, but almost all of this emulsifier [(i.e., surfactant)] is removed during the above-mentioned medium removal operation, and moreover, by washing if needed.' (p. 8, second to last paragraph). This statement teaches away from the use of polymerizable surfactants, which cannot be removed from the adhesive following polymerization.

The prior art of record does not teach or suggest the presently claimed composition. Therefore, the instantly claimed invention is deemed allowable over closest prior art of record as per said art neither anticipating nor rendering obvious, alone or in combination, the instantly claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance.

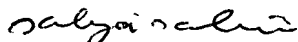
### ***Future Correspondence***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satya Sastri whose telephone number is 571-272-1112. The examiner can be reached on Wednesdays and Fridays, 7AM-5PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on 571-272-1114. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273 8300 for regular communications. The unofficial direct fax phone number to the Examiner's desk is 571-273-1112.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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September 17, 2007



DAVID W. WU  
SUPERVISORY PATENT EXAMINER  
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